

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA**

NOTICE

Pursuant to 28 U.S.C. §2071(b) and §2077 and the authority granted by Federal Rule of Civil Procedure 83 to promulgate Local Civil Rules not inconsistent with the Federal Rules of Civil Procedure and applicable statutes, the judges of the United States District Court for the Eastern District of Pennsylvania, on April 5, 2004, approved for publication and solicitation of comment, certain amendments to the *Procedural Order on Format of Documents in Electronic Form* establishing practices and procedures for the filing, signing, serving and verification of documents in electronic form.

In order to implement the *Procedural Order on Format of Documents in Electronic Form* the judges of the court, also on April 5, 2004, also approved for publication and solicitation of comment to be submitted no later than close of business, Friday, May 14, 2004, amendments to Rule 5.1.4 of the Local Rules of Civil Procedure, as follows:

Rule 5.1.4, *Format of Documents in Electronic Form* -- In accordance with the *Procedural Order on Format of Documents in Electronic Form*, the provisions of which are incorporated herein by reference, and which may be amended from time to time by the court,

~~(a) All attorneys are required to submit complaints in traditional manner on paper, accompanied by copies of the complaint on disk in portable document format (PDF) at the time of filing so that the complaint may be entered into the District Court's ECF system;~~

~~(b) All attorneys who are not registered as ECF Filing Users, as defined in the *Procedural Order on Electronic Case Filing* referenced in Rule 5.1.2 of the Local Rules of Civil Procedure, are required to complete the *Rule 5.1.4 Validation of Signature* form and submit all filings subsequent to the complaint on disk in portable document format (PDF) so that the filings may be entered into the District Court's ECF system; a document filed on disk must be accompanied by a courtesy copy of the document in paper format for use by the court; attorneys who complete the *Validation of Signature* form will receive a signature code which must be used by the attorney on the signature line of all courtesy copies submitted with a disk for purposes of signature validation pursuant to Rule 11 of the Federal Rules of Civil Procedure; the document as submitted under this section on disk will constitute the original document, except for those documents which are excluded from the provisions of Local Rule 5.1.2 and Local Rule 5.1.4 as set forth in the *Procedural Order on Electronic Case Filing*~~

~~and the *Procedural Order on Format of Documents in Electronic Form*;~~

(a) All complaints must be submitted on disk in portable document format (PDF) at the time of filing, so that the complaint may be entered into the District Court's ECF system, and must be accompanied by a courtesy copy of the complaint in paper format for use by the court; under this paragraph, all attorneys are required to complete the *Rule 5.1.4 Validation of Signature* form, as described in Paragraph (c) below;

(b) All documents filed subsequent to the complaint by attorneys who are not registered as ECF Filing Users, as defined in the *Procedural Order on Electronic Case Filing* referenced in Rule 5.1.2 of the Local Rules of Civil Procedure, must be submitted on disk in portable document format (PDF), so that the filings may be entered into the District Court's ECF system, and must be accompanied by a courtesy copy of the document in paper format for use by the court; under this paragraph, all attorneys are required to complete the *Rule 5.1.4 Validation of Signature* form, as described in Paragraph (c) below;

c) attorneys who complete the *Rule 5.1.4 Validation of Signature* form will receive a signature code which must be used by the attorney on the signature line of all courtesy copies submitted with a disk for purposes of signature validation pursuant to Rule 11 of the Federal Rules of Civil Procedure; the document as submitted under Local Rule 5.1.4 on disk will constitute the original document, except for those documents which are excluded from the provisions of Local Rule 5.1.4 as set forth in the *Procedural Order on Electronic Case Filing* and the *Procedural Order on Format of Documents in Electronic Form*; attorneys are required to have submitted a completed *Rule 5.1.4 Validation of Signature* form just once in order to file all complaints and documents in all subsequent cases in this court.

~~(e)~~ **(d)** Nothing in Rule 5.1.4 of the Local Rules of Civil Procedure or in the *Procedural Order Governing the Format of Documents in Electronic Form* shall preclude attorneys who complete the *Rule 5.1.4 Validation of Signature* form from also registering with the court's ECF system under Rule 5.1.2 of the Local Rules of Civil Procedure, nor preclude attorneys who are currently registered with the court's ECF system from completing a *Rule 5.1.4 Validation of Signature* form;

~~(d)~~ **(e)** Service of process will continue to be made in accordance with those provisions set forth in Rule 5 of the Federal Rules of Civil

Procedure;

(e) (f) For convenience of attorneys who do not have access to compatible hardware or software, a computer with PDF conversion capability is available in the Clerk's Offices at Philadelphia and Allentown, with assistance for PDF conversion provided by Clerk's Office staff as needed; attorneys who have reason for not providing this material on disk are required to notice the Clerk's Office in writing attached to the document, explaining the reason for not providing this material on disk;

(f) (g) Attorneys who do not register to participate in the ECF program are requested to register and participate in the court's Program for Facsimile Service of Notice to Counsel or Litigants in Civil and Criminal Cases (the "Fax Noticing Program").

Also on April 5, 2004, the judges approved for publication and solicitation of comment to be submitted no later than close of business, Friday, May 14, 2004, an amendment to Rule 1.2 of the Local Rules of Criminal Procedure for the United States District Court for the Eastern District of Pennsylvania, *Applicability and Effect of Local Rules*, to include amended Rule 5.1.4 of the Local Rules of Civil Procedure, *Format of Documents in Electronic Form*, as fully applicable to all criminal proceedings.

The comment period now having expired with no comments received by the court, the judges of the court have approved adoption of amended Local Civil Rule 5.1.4 and amended Local Criminal Rule 1.2, effective immediately.

Those counsel wishing to obtain copies of the *ECF Procedural Order*, the *Procedural Order on Format of Documents in Electronic Form*, the implementing local civil and criminal rules, the ECF Registration Form, and the court's Registration for the Fax Noticing Program may do so by accessing the District Court's website at <http://www.paed.uscourts.gov>. Copies may also be obtained by writing to Michael E. Kunz, Clerk of Court, United States Courthouse, 601 Market St., Room 2609, Philadelphia, PA, 19106, obtaining them in person at the Clerk's Office, or submitting a faxed request to the Clerk's Office at 215-597-6390.

FOR THE COURT:

JAMES T. GILES,
Chief Judge

